

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In Re Application of: KRAVITZ)	Group Art Unit 3641
)	
Serial No.: 10/590,830)	Examiner: JOHNSON, Stephen
)	
Filed: August 28, 2006)	Docket No. BAE.1005
)	
For: System and Method for Providing)	
a Cooperative Network for Applying)	
Countermeasures to Airbourne Threats)	Appeal No.:

Mail Stop Appeal Brief-Patents
Honorable Commissioner for Patents
Alexandria, Virginia 22313-1450

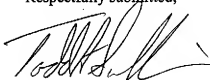
RESPONSE TO NOTICE OF NON-COMPLIANT APPEAL
BRIEF (37 CFR 41.37)

Dear Sir:

In response to the Notice of Non-Compliant Appeal Brief mailed December 15, 2008, Applicant encloses revised Section V, Summary of Claimed Subject Matter.

In the event the Examiner deems personal contact is necessary, please contact the undersigned attorney at (603) 668-1400.

Respectfully submitted,



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I hereby certify that this correspondence is being deposited with the United States Patent Office via the electronic filing procedure on December 24, 2008.

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V. SUMMARY OF CLAIMED SUBJECT MATTER

The Application presently has five pending independent claims, namely, claims 1, 7, 8, 17 and 18. Claims 8 and 18 have been allowed and, thus, are not at issue and are not summarized herein. Claims 1, 7, and 17 are summarized as follows:

Independent claim 1 is an apparatus claim directed at a system for countering an airborne threat to an aircraft, as shown in FIG. 1. At least one aircraft (ref #10, 20, 30, and 40 in FIG. 1) has an airborne countermeasures system (ACS) (ref #12, 22, 32, 42 in FIG. 1) capable of controlling deployment of countermeasures located on said aircraft (paragraphs 0017 and 0018). A central countermeasures management system (CCMS) (ref #102 in FIG. 1) capable of communicating with said ACS (ref #12, 22, 32, 42 in FIG. 1) to control said ACS in deployment of said countermeasures located on said aircraft (ref #10, 20, 30, and 40 in FIG. 1) (paragraphs 0017, 0018, and 0049).

Independent claim 7 is a method claim directed at a method of countering an airborne threat to an aircraft (see FIG. 5 flow chart). The CCMS (ref #102 in FIG. 1) receives threat information about said airborne threat from a remote source (ACS, ref #12 in FIG. 1) (see block 304 of FIG. 5 and paragraphs 0040-0042). The CCMS also receives source information about said remote source (ACS ref #12) (part of the 'track file' identified in block 304 and paragraph 0042). A type of airborne threat is determined from said received threat information and said received source information (block 310 in FIG. 5 and paragraph 0044). A countermeasure is selected that is presently available by said remote source, wherein said countermeasure is

capable of deterring said airborne threat from inflicting damage to said aircraft (block 314 in FIG. 5 and paragraph 0047). Said remote source is instructed to deploy said selected countermeasure that is presently available (block 316 in FIG. 5 and paragraph 0048).

Independent claim 17 is another method claim directed at a method of countering an airborne threat (see FIG. 5 flow chart). Whereas claim 7 is claimed from the perspective of the CCMS, claim 17 is claimed from the perspective of the ACS (perspective defining the actor in the method steps and the identity of the 'remote device/source'). Otherwise, the same flow chart blocks and paragraphs that define claim 7 define claim 17. The ACS (ref #12 in FIG. 1) determines threat information about said airborne threat and transmits it to a remote device (CCMS, ref #102 in FIG. 1) (see block 304 of FIG. 5 and paragraphs 0040-0042). The ACS also transmits source information to said remote device (CCMS, ref #102) (part of the 'track file' identified in block 304 and paragraph 0042). A type of airborne threat is determined from said received threat information and said source information (block 310 in FIG. 5 and paragraph 0044). A countermeasure is selected by said remote device that is presently available (block 316 in FIG. 5 and paragraph 0048). The counter measure is deployed, wherein the source information and the threat information is collectively a track file (block 316 and paragraphs 0040-0043).